

AMENDED IN SENATE MARCH 29, 2005

SENATE BILL

No. 265

Introduced by Senator Campbell

(Coauthor: Senator McClintock)

(Coauthors: Assembly Members Huff, Mountjoy, and Sharon Runner)

February 15, 2005

An act to add Section 19853.2 to the Government Code, relating to state employees.

LEGISLATIVE COUNSEL'S DIGEST

SB 265, as amended, Campbell. Holidays.

Existing law prescribes the holidays to be observed by state agencies and their employees, including personal holidays.

This bill would limit the number of holidays observed by state employees to 12.

The bill would apply its provisions to excluded employees, nonelected officers or employees of the executive branch who are not members of the civil service, and the Governor and his or her employees. The bill would allow the provisions of an existing memorandum of understanding, as specified, to control the allocation of holidays, but would apply the 12 holiday limit to any memorandum of understanding entered into on or after January 1, 2006.

The bill would require the Governor and the head of each state agency, board, or commission to designate the 12 state holidays to be observed by employees.

The bill would encourage the Legislature and the judiciary to adopt rules for observance of state holidays that are consistent with the bill.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 19853.2 is added to the Government
2 Code, to read:
3 19853.2. (a) Notwithstanding ~~Section 6700~~, *Sections 6700*,
4 ~~19853, and 19853.1~~, and subdivision (c) of Section 10205, ~~and~~
5 ~~Section 19853~~, state employees, including those excluded from
6 the definition of state employee in subdivision (c) of Section
7 3513 and nonelected officers or employees of the executive
8 branch of government who are not members of the civil service,
9 and the Governor and his or her employees, shall observe no
10 more than 12 state holidays in a calendar year, including the day
11 chosen by an employee pursuant to Section 19854.
12 (b) Subject to subdivision (a), the Governor and the head of
13 each state agency, board, or commission shall designate the 12
14 state holidays to be observed, from among those state holidays
15 authorized by statute, for their employees, including any
16 department, division, or other unit of state government within the
17 agency.
18 (c) If any provision of subdivision (a) or (b) is in conflict with
19 the provisions of a memorandum of understanding reached
20 pursuant to Section 3517.5 and currently in effect or subject to
21 Section 3517.8, the memorandum of understanding shall be
22 controlling without further legislative action, except that a
23 memorandum of understanding entered into on or after January
24 1, 2006, shall be subject to this section.
25 (d) The Legislature and the judiciary are encouraged to adopt
26 rules for the observance of state holidays that are consistent with
27 this section.